

lands. ETCs that fail to satisfy the Tribal engagement requirements may be subject to financial consequences, including potential reductions in USF support. In July 2012, the Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureaus issued the *Further Guidance* to help articulate the requirements of and facilitate compliance with the Tribal engagement rules.

U.S. TELECOM PETITION

U.S. Telecom filed its present petition to reiterate its December 2011 request for reconsideration of the Commission's Tribal engagement rules and urge the Commission to reconsider and clarify the *Further Guidance*.^[7]

At a minimum, U.S. Telecom wants the FCC to reconsider or clarify that the Tribal engagement requirements apply only to ETCs that receive "new" high-cost support to fund deployment on Tribal lands and *not* to ETCs that receive no support to fund deployment on Tribal lands or whose support is being eliminated. U.S. Telecom acknowledges that discussions with Tribal communities could help ETCs that apply for and receive new USF support (i.e., Tribal Mobility Fund recipients and Connect America Fund (CAF) Phase II recipients serving Tribal lands). However, U.S. Telecom argues that such a requirement does not make sense for carriers that will not be receiving support for network deployments in Tribal areas. For example, it argues that a carrier receiving only frozen interstate access support (IAS) should not be subject to Tribal engagement because such support is used to lower subscribers' rates, not build out networks. U.S. Telecom also argues that ETCs that are having their support eliminated should not be subject to the rules. It points out that, at this juncture, neither wireline nor wireless carriers know when their respective new CAF mechanisms will be implemented or if they will even receive support.

U.S. Telecom attacks the *Further Guidance* on a procedural basis. While it states that it is unclear whether the activities laid out in the *Further Guidance* are binding rules or aspirational goals, U. S. Telecom claims the guidance cannot be binding because it was adopted without notice and comment, the FCC made no effort to fairly apprise interested persons of the guidance, and the guidance cannot be considered a "logical outgrowth" of the Tribal engagement rules as originally proposed, all of which violate the Administrative Procedure Act.

U.S. Telecom claims the *Further Guidance* should be reconsidered because of the unlawful requirement that ETCs deliver presentations to Tribal representatives, an activity that is compelled speech in violation of the First Amendment. U.S. Telecom also seeks reconsideration because it claims the Office of Native Affairs and Policy failed to consider compliance costs for complying with the directives set out in the *Further Guidance*, and because the FCC has not sought or received Office of Management and Budget approval of the directives contained in the *Further Guidance* or the Tribal engagement rules.

CONCLUSION

U.S. Telecom continues to hammer away at many of the FCC's new reporting rules adopted in the *USF/ICC Transformation Order*. In July 2012, U.S. Telecom jointly filed a petition with CTIA

challenging some of the new reporting requirements for high-cost ETCs found in Section 54.313 of the FCC's rules. In both that petition and its recent petition challenging the Tribal engagement rules, U.S. Telecom points out parts of new rules that need specific clarification, argues that certain rules are burdensome and will result in little to no benefit, and claims that some of the rules just do not make sense.

For example, in the *USF/ICC Transformation Order* and the *Further Guidance*, the FCC stated that the Tribal Engagement Obligations apply to ETCs either currently providing service or seeking to provide service on Tribal lands with the use of USF support. U.S. Telecom argues that the Tribal engagement rules should not apply to competitive ETCs providing mobile wireless service because they "have no information on whether they will receive *any* support—let alone a specific amount—pursuant to either Phase I or Phase II of the Mobility Fund." [8] Discussions about future network deployment between mobile wireless carriers that are losing support and Tribal communities would likely be brief and without substance.

Overall, push-back on new reporting and compliance rules is helpful to carriers, and there will likely be more support on this point from other industry players. Often times, the FCC is so caught-up in oversight, it may not realize that its reporting and compliance rules are a waste of time and money – resources that would be much better spent building out networks to the 19 million Americans living in areas still unserved by terrestrial-fixed broadband.

If you would like additional information on the FCC's Tribal engagement rules or U.S. Telecom's petition, or would like assistance in filing comments, please contact us.

[1] Office of Native Affairs and Policy, *Wireless Telecommunications Bureau, and Wireline Competition Bureau Seek Comment on the United States Telecommunications Association Petition for Reconsideration and Clarification of the Further Guidance Regarding the Tribal Government Engagement Obligation Provisions of the Connect America Fund*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, 96-45; WT Docket No. 10-208; GN Docket No. 09-51, Public Notice, DA 12-1405 (Aug. 27, 2012).

[2] See *Connect America Fund*, WC Docket No. 10-90 *et al.*, Petition for Reconsideration and Clarification of the United States Telecom Association (Aug. 20, 2012) (*U.S. Telecom Petition*).

[3] Office of Native Affairs and Policy, *Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Government Engagement Obligation Provisions of the Connect America Fund*, WC Docket No. 10-90 *et al.*, Public Notice, DA 12-1165 (July 19, 2012) (*Further Guidance Public Notice*).

[4] See *Connect America Fund*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, 26 FCC 17663, 17868-69, ¶637 (Nov. 18, 2011) (*USF/ICC Transformation Order*).

[5] *Id.*

[6] See *Further Guidance Public Notice* at ¶9.

[7] On December 29, 2011, U.S. Telecom filed a petition for reconsideration of certain aspects of the *USF/ICC Transformation Order*, including the Tribal engagement requirements. See *Connect America Fund*, WC Docket No. 10-90 *et al.*, Petition for Reconsideration of the

United States Telecom Association (Dec. 29, 2011). While parts of that petition were addressed in subsequent FCC Orders, the FCC has not addressed U.S. Telecom's challenges to the Tribal engagement requirements. The FCC issued its *Further Guidance Public Notice* on July 19, 2012 to spell out exactly what is required under the Tribal engagement rules.

[8] *U.S. Telecom Petition* at p.4, fn.8.

Bennet & Bennet, PLLC 6124 MacArthur Boulevard Bethesda, Maryland 20816-3210 | (202) 371-1500

Unsubscribe | Update your profile | Subscribe to Rural Spectrum Scanner | www.ruralspectrumscanner.com | www.bennetlaw.com |
Twitter | Facebook

Copyright © 2012 Bennet & Bennet, PLLC. All rights reserved.

You are receiving this email because you signed up at bennetlaw.com, made a request to Bennet & Bennet or have a preexisting relationship with us.

MAY 2013

Q QUINTILLION NETWORKS



What is Quintillion Networks?

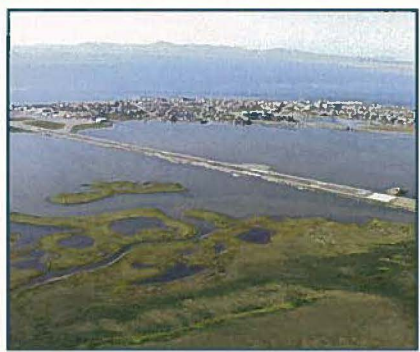
Quintillion Networks, LLC is an Alaskan company building a fiber optic cable network as an alternative to current satellite communications. The initial Quintillion technical team also includes Arctic Slope Telephone (ASTAC), OTZ Telephone, TelAlaska, New Horizons

Telecom (NHTI), Umiag and Alaska Communications.

Another company, Arctic Fibre Inc. (AFI) is building a northern subsea cable between London and Tokyo, passing by the Alaska coast. Quintillion will connect this subsea cable to the

shore and then link to the local communications providers, who will distribute directly to customers.

Visit our website at:
www.QuintillionNetworks.com for more information.



Quintillion is leveraging this unique opportunity to bring high-speed broadband internet to the Alaskan coastal communities of Nome, Kotzebue, Wainwright, Barrow and Prudhoe Bay. Services may expand beyond the landing communities as the distribution infrastructure is developed with the local providers.



OTZ TELECOMMUNICATIONS, INC.

P.O. BOX 369
KOTZEBUE, ALASKA 99752
(907) 442-2411
FAX (907) 442-2511
1-888-449-2411

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WC Docket Nos. 10-90 and 11-42, Annual 47 C.F.R. § 54.422(a)(2) Certification via Form 481, Line No. 1210

Dear Ms. Dortch:

Please accept this letter as certification that **OTZ Telecommunications, Inc.** offers Lifeline services as set forth in 47 C.F.R. §54.422(a)(2). The following information describes the terms and conditions of all voice telephony service plans offered to Lifeline subscribers

For its Cellular Lifeline service, **OTZ Telecommunications, Inc.** charges subscribers \$0.00 per month. This amount includes all federally mandated charges and access fees. Subscribers receive unlimited local minutes per month, unlimited text messaging and free voicemail. To qualify, a subscriber must fill out an application and certify that they meet the federal guidelines; copies of both are included on the following pages.

Additionally, **OTZ Telecommunications, Inc.** has provided a printout from its website with prices for special features. **OTZ Telecommunications, Inc.** also provided copies of OTZ Telecommunications, Inc. d/b/a OTZ Long Distance's tariff which includes rates for additional services available to subscribers upon request. In order to add long distance service, a deposit of \$90.00 is required. Tariff sheets include:

- Roaming options
- Long distance service
- Toll free service
- Calling card service

Sincerely,

Douglas A. Neal
Chief Executive Officer



OTZ TELECOMMUNICATIONS, INC.

P.O. BOX 369
KOTZEBUE, ALASKA 99752
(907) 442-2411
FAX (907) 442-2511
1-888-449-2411

Lifeline Certification Form page 1 of 2

Name	
Residential Address (Must not be a P.O. Box)	
Mailing Address	
Telephone Number	

Date of Birth:(mm/dd/yyyy) _____ Last 4 digits of Social Security #: _____

Please answer the following questions:

1. Are you currently participating in any of the following programs? (Check & attach documentation for all that apply)

- Medicaid (Medical Assistance Program)
- Supplemental Nutrition Assistance (AK Food Stamp Program –Alaska Quest)
- Supplemental Security Income (SSI)
- Federal Public Housing Assistance (FPHA) Section 8
- Low-Income Home Energy Assistance Program (LIHEAP)
- Temporary Assistance to Needy Families Program (ATAP)
- Tribally-Administered Temporary Assistance for Needy Families
- Bureau of Indian Affairs General Assistance
- Head Start Program (only those meeting income qualifying standard)
- National School Lunch Program (NSLP) Free Lunch Program
- Food Distribution Program on Indian Reservations (FDPIR)
- Or write in any qualifying program if not listed above
- _____

2. Is your income at or below 135 percent of the Federal Poverty Guidelines?

_____ Yes _____ No (*Proof of income is required)

If yes, how many persons are in your household? _____

3. Are you or anyone else in your household currently receiving any low-income assistance from any other wireline or wireless telephone provider?

_____ Yes _____ No

***NOTE: Any documentation received with the certification form will not be kept or stored by the local telecommunications provider.**



OTZ TELECOMMUNICATIONS, INC.

P.O. BOX 369
KOTZEBUE, ALASKA 99752
(907) 442-2411
FAX (907) 442-2511
1-888-449-2411

Lifeline Certification Form page 2 of 2

CERTIFICATION

By signing below, I certify under penalty of perjury the information contained within this certification form is true and correct to the best of my knowledge:

- I have read the information on this certification form and understand that I must meet the qualifications listed on this form to receive assistance from this program.
- I understand that willfully providing false or fraudulent information to receive a Lifeline benefit is punishable by law. I have read the information on this certification form and understand that I must meet the qualifications listed on this form to receive assistance from this program.
- I understand that willfully providing false or fraudulent information to receive a Lifeline benefit is punishable by law.
- I understand that Lifeline is a government benefit program and willfully making false statements in order to obtain that benefit can be punished by fine or imprisonment, or that I can be barred from the program.
- I agree to provide documentation of my eligibility, when required to do so.
- By participating in this government program, I agree to provide my personal information to the national database. I understand that failure to comply will deny me the Lifeline benefit.
- I certify that my household is receiving no more than one Lifeline-supported service and understand that violation of this requirement will result in de-enrollment from the program and could result in criminal prosecution.
- I understand that I may not transfer my service to any other individual.
- I acknowledge that I may be required to re-certify my eligibility for Lifeline at any time and failure to re-certify my continued eligibility will result in de-enrollment and termination of Lifeline benefits. Initial here: _____
- I understand that I must notify my telecommunications provider within 30 days if I no longer qualify for Lifeline service and may be subject to penalties if I fail to do so.
- If I move to a new address, I agree to provide my new address to OTZ Telecommunications, Inc. within 30 days.
- I understand completion of this certification form does not constitute immediate acceptance into this program

Signature _____	Date _____
-----------------	------------

Prompt return of this certification form to your local telephone provider is necessary to ensure proper credits to your account. Certified low-income telephone assistance subscribers will receive a re-certification form annually from their local telecommunications provider and must return that form to their telecommunications provider within 30 days to ensure the continuation of assistance benefits.

SERVICE PROVIDER USE ONLY

Telephone # associated with Lifeline service:

Initiation Date:

De-enrollment Date:



OTZ Telephone Cooperative, Inc.
OTZ Telecommunications, Inc.

[Home](#) [About Us](#) [FAQs](#) [Contact Us](#) [Webcam](#)

[Check Your Cell
Phone Voicemail](#)



[Check Your
Internet Account](#)



[View/Pay Your
Phone Bill](#)



[Telephone Service](#) [Long Distance Service](#) [Cellular Service](#) [Internet Service](#) [VHF Gear](#) [Applications & Forms](#)

Weather for Kotzebue
Partly Sunny
Time: 10:00 am
Temp: 27
RealFeel Temp: 14
Humidity: 78
Winds: NNE at 13 mph

[Click for 5-day forecast!](#)

powered by AccuWeather.com



[Listen to
KOTZ Radio](#)



[Login to
OTZ.net Webmail](#)



[View Frotzbytes
Newsletters](#)



OTZ Cellular Plans

Sign up today for the OTZ Cellular Plan that works best for you...or your whole family. Here's an overview of our plans. Need help deciding? Just give us a call at 442-2411.

PICK YOUR PLAN

*Need a plan for the whole clan?
Got ya covered!
Add phones, share minutes and save!*

<u>2-3 Phones</u>	<u>4+ Phones</u>
Get \$40 off Internet*	Get 512K Internet*
Free Caller ID	Free Caller ID
Unlimited Texting	Unlimited Texting
Voicemail*	Voicemail*

**Voicemail and Internet discount only available to Kotzebue residents.*

PICK YOUR SPECIAL FEATURES

Add Special Features

- *Unlimited Text Messaging, \$5.95 per month*
- *Caller ID, \$3.95 per month*

More Roaming Options

- *50 Roaming Minutes, \$5.99 per month*
- *100 Roaming Minutes, \$9.99 per month*
- *200 Roaming Minutes, \$19.99 per month*
- *500 Roaming Minutes, \$39.99 per month*

Lifeline Monthly Rate: \$0.00/mo.

This includes all federally mandated charges and access fees. You may add special calling features for an additional charge. To see if you qualify for Lifeline, click [here](#).

SIGN UP!

Download your [cell service sign-up form here](#), or call us at 442-2411.

RCA No. 511 Third Revision Sheet No. 5.2Cancelling Second Revision Sheet No. 5.2**RECEIVED**

JUL 01 2011

STATE OF ALASKA
REGULATORY COMMISSION OF ALASKA**OTZ Telecommunications, Inc. d/b/a OTZ Long Distance**

CALLING PLANS

INDEX

<u>Subject</u>		<u>Sheet</u>	
A.	One Simple Rate Plan	5.3	
B.			D
C.	Small Business One Simple Rate Plan	5.5	
D.			D
E.			D
F.	High Volume Business Plan	5.10	

D=Deleted 10-20 Plan, Small Business One Simple Rate Plan for Internet Customers and Small Business One Simple Rate Plan for Internet/Cellular Customers

Tariff Advice No. 24-511Effective: August 1, 2011Issued By: OTZ TELECOMMUNICATIONS, INC., d/b/a OTZ LONG DISTANCEBy: Douglas A. NealTitle: Chief Executive Officer

RCA No. 511 Second Revision Sheet No. 5.3Cancelling First Revision Sheet No. 5.3**OTZ Telecommunications, Inc., d/b/a OTZ Long Distance****RECEIVED**

JUL 01 2011

STATE OF ALASKA
REGULATORY COMMISSION OF ALASKA

CALLING PLANS

A. One Simple Rate Plan

Residential customers may select the One Simple Rate Plan in lieu of the Message Telephone Rates in Section 4. The minimum payment is one (1) month. Only one (1) calling plan is allowed per main billing account. This plan only includes dial station calls.

Rates apply to all time periods and all days. Rates apply to calls within Alaska. The per minute cost applies to initial minute and any fraction thereof, and additional minutes and any fraction thereof.

In order to qualify for this calling plan, the customer must be subscribed to OTZ Telecommunications, Inc., for long distance telecommunications service.

- \$0.07 per minute.
- \$5.00 Monthly Recurring Charge.

R

Tariff Advice No. 24-511Effective: August 1, 2011Issued By: OTZ TELECOMMUNICATIONS, INC., d/b/a OTZ LONG DISTANCEBy: Douglas A. NealTitle: Chief Executive Officer

RCA No. 511 Second Revision Sheet No. 5.5Cancelling First Revision Sheet No. 5.5**OTZ Telecommunications, Inc., d/b/a OTZ Long Distance****RECEIVED****JUL 01 2011****STATE OF ALASKA
REGULATORY COMMISSION OF ALASKA****CALLING PLANS****C. Small Business One Simple Rate Plan**

Business customers may select the Small Business One Simple Rate Plan in lieu of the Message Telephone Rates in Section 4. The minimum payment period is one (1) month. Only one (1) calling plan is allowed per main billing account. This plan only includes dial station calls.

Rates apply to all time periods and all days. Rates apply to calls within Alaska. The per minute cost applies to initial minute and any fraction thereof, and additional minutes and any fraction thereof.

In order to qualify for this calling plan, the customer must be subscribed to OTZ Telecommunications, Inc., for long distance telecommunications service.

Rates and Discounts:

- \$0.09 per minute.
- No Monthly Recurring Charge.
- No Contract.

R

Tariff Advice No. 24-511Effective: August 1, 2011Issued By: **OTZ TELECOMMUNICATIONS, INC., d/b/a OTZ LONG DISTANCE**By: Douglas A. NealTitle: Chief Executive Officer

RCA No. 511 First Revision Sheet No. 5.10

Cancelling Original Sheet No. 5.10

RECEIVED

JUL 01 2011

STATE OF ALASKA
REGULATORY COMMISSION OF ALASKA

OTZ Telecommunications, Inc. d/b/a OTZ Long Distance

CALLING PLANS

F. High Volume Business Plan

Business customers may select the High Volume Business Plan in lieu of the Message Telephone Rates in Section 4. The minimum payment period is one (1) month. Only one (1) calling plan is allowed per main billing account. This plan only includes dial station calls.

Rates apply to all time periods and all days. Rates apply to calls within Alaska. The per minute cost applies to initial minute and any fraction thereof, and additional minutes and any fraction thereof.

In order to qualify for this calling plan, the customer must be subscribed to OTZ Telecommunications, Inc., for long distance telecommunications service.

Seasonality Provision – If the monthly revenue commitment is not met for one or more billing periods, the customer may be subject to a payment of shortfall charge. If the customer's actual annual gross bill is less than the annual cumulative monthly revenue commitment, the customer may be billed a shortfall charge equal to the difference between the monthly revenue commitment times twelve (12) and the actual annual gross billed usage charges.

Rates and Discounts:

- \$0.07 per minute on calls made from the business telephone.
- No monthly recurring charge.
- \$2,000 minimum monthly revenue commitment per year.

R

Tariff Advice No. 24-511

Effective: August 1, 2011

Issued By: OTZ TELECOMMUNICATIONS, INC., d/b/a OTZ LONG DISTANCE

By: Douglas A. Neal

Title: Chief Executive Officer

RCA No. 511 Second Revision Sheet No. 4.23

Cancelling First Revision Sheet No. 4.23

RECEIVED

JUL 01 2011

STATE OF ALASKA
REGULATORY COMMISSION OF ALASKA

**OTZ TELECOMMUNICATIONS, INC.
d/b/a OTZ LONG DISTANCE**

SCHEDULE OF CHARGES

C. 800/877/888 Service (Continued)

3. Rates and Charges

a. Rates and charges for 800/877/888 Service are as follows:

	Per Minute	
All 800/877/888 Service Calls	\$0.10	R

b. Service Charges per call

All 800/877/888 Service Calls	\$0.25
-------------------------------	--------

c. 800/877/888 Service Establishment Charge

A \$20.00 non-recurring charge applies for each newly established 800/877/888 Service telephone number.

Tariff Advice No. 24-511

Effective: August 1, 2011

Issued By: OTZ TELECOMMUNICATIONS, INC., d/b/a OTZ LONG DISTANCE

By: Douglas A. Neal

Title: Chief Executive Officer

RECEIVED

NOV 30 2012

**STATE OF ALASKA
REGULATORY COMMISSION OF ALASKA**

RCA No. 511 Third Revision Sheet No. 4.26

Cancelling Second Revision Sheet No. 4.26

OTZ Telecommunications, Inc., d/b/a OTZ Long Distance

SCHEDULE OF CHARGES

D. Calling Card Service (Continued)

3. Rates and Charges

a.	<u>Rate</u>	<u>Initial 1 Minute</u>	<u>Each Additional Minute</u>	D
	All	\$0.15	\$0.15	

b. Service Charges Per Call

Customer Dialed Credit Card \$0.15

A \$15.00 non-recurring charge applies for each newly established calling card number.

D = Deleted reference to Mileage

Tariff Advice No. 26-511

Effective: December 31, 2012

Issued By: **OTZ TELECOMMUNICATIONS, INC., d/b/a OTZ LONG DISTANCE**

By: Douglas A. Neal

Title: Chief Executive Officer